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EXAMINER

MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/699,239

Applicant(s)

THOMPSON, R. DONALD

Examiner

Thomas J. Mauro Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-18 are pending and presented for examination. A formal action on the merits of claims 1-18 follows.

Specification

2. The disclosure is objected to because of the following informalities: Claims section of disclosure must commence on a separate sheet of paper. Please move the first two lines of page 19 to a different section.

Appropriate correction is required.

3. The disclosure is objected to because of the following informalities:
 - On page 14 line 18, the word “**hash**” is wrongly spelled as “has”.
 - On page 15 line 3, “Figure 7” should be changed to -- Figure 8 -- as the applicant is referring to items described in Figure 8.

Appropriate correction is required.

Drawings

4. The drawings are objected to because Figure 1 and Figure 2 do not use labels, for example in items '78 and '80 that clearly point out what these items refer to. Please re-label these items to clearly show the applicant's invention. A proposed drawing correction or

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corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because Figure 12 contains two items with a label of '60. Optical drive interface (60) should be changed to conform to the specification by changing the '60 to '58. In addition, "END" step in Figure 3 is labeled as '302. This, however, should be changed to conform to the specification by changing the '302 to '320. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Modem '69 of Figure 12 does not appear in the specification. In addition, decision block '920 of Figure 9 is not mentioned in the specification. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Snyder (U.S. 6,643,641).

With respect to claim 1, Snyder teaches a method in a computer system for associating data with a data request the method comprising:

Obtaining a request for provider data, wherein the provider data includes a first and second portion [**Snyder -- Col. 8 lines 50-53 – Server obtains user submitted search criteria for data, which includes a first portion, i.e. search report page, and second portion, URL's of the actual web pages from third parties returned on search report**];

Associating a first identifier with the request for the provider data [**Snyder -- Col. 5 line 50 – First identifier is the search criteria, i.e. search term(s), entered by the user**];

Returning the first portion of the provider data [**Snyder -- Col. 6 lines 9-11 – First portion, i.e. search results page, is returned to the user**];

Storing the second portion of the provider data according to the first identifier [**Snyder -- Col. 19 lines 20-28 – The second portion, i.e. URL hypertext references of the web pages are required and therefore inherently stored in a memory as the search page code is generated and therefore accessed by the user. Thus, the coded html page containing the URL's and any text/graphics is stored in memory of the web server upon which the client is accessing**];

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Obtaining a request for the second portion of the provider data [**Snyder -- Col. 19 lines 33-38 – User can click on hypertext links on results page to request selected web page, i.e. second portion**];

Associating a second identifier with the request for the second portion of the provider data [**Snyder -- Col. 19 lines 31-33 – Second identifier, i.e. URL or hypertext link, provides access to second portion of data**]; and

Returning the second portion of the provider data if the second identifier matches the first identifier [**Snyder -- Col. 19 lines 33-38 – Clicking on the hyperlink loads the selected webpage, which the first identifier, i.e. the keyword, must match the second identifier, i.e. URL from search report, or it would not have been returned in the report as having a matching relevancy**].

9. Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Snyder (U.S. 6,643,641).

With respect to claim 13, Snyder teaches a computer system for providing data to a requesting party, the system comprising:

at least one content requestor for requesting provider data [**Snyder -- Figure 3 and Col. 8 lines 57-59 – Content requestor, i.e. user, provides search criteria to request provider data**]; and

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a content server in communication with the content requester and operable to provide a first and second portion of the provider data to the content requester [Snyder -- Figure 3 and Col. 22 lines 36-38 – Content server, i.e. web server, receives search criteria from user and provides the data, i.e. search report, i.e. first portion, and actual web pages, i.e. second portion],

wherein the content server returns the first portion of the provider data and stores the second portion of the provider data according to a first identifier upon receiving a first request for the provider data from the content requestor [Snyder – Col. 6 lines 9-11 and Col. 19 lines 20-28 – First portion, i.e. search results page, is returned to the user and the second portion, i.e. URL hypertext references of the web pages are required and therefore inherently stored in a memory as the search page code is generated and therefore accessed by the user. Thus, the coded html page containing the URL's and any text/graphics is stored in memory of the web server upon which the client is accessing]; and

wherein the content server returns the second portion of the provider data upon receiving a second request for the provider data from the content requestor if a second identifier matches the first identifier [Snyder Col. 19 lines 31-38 – User can click on hypertext links on results page to request selected web page, i.e. second portion by accessing second identifier, i.e. URL or hypertext link. Clicking on the hyperlink loads the selected webpage, which the first identifier, i.e. the keyword, must match the second identifier, i.e. URL from search report, or it would not have been returned in the report as having a matching relevancy].

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) in view of Rieth et al. (U.S. 6,134,597).

Regarding claim 1, Landsman teaches a method for associating data with a data request, the method comprising:

obtaining a request for provider data, wherein the provider data includes a first and second portion [**Landsman -- Figure 1B, Col. 16 lines 44-50 and Col. 16 lines 62-67 - Col. 17 line 1 – User access web server (13) for data, i.e. a web page, which includes a first portion, i.e. contents of web page and advertisement, and a second portion, reference to ad management system**];

associating a first identifier with the request for the provider data [**Landsman -- Col. 16 lines 46-49 – User requests data from web server, which inherently requires that an IP address or URL is used, i.e. first identifier**]; and

returning the first portion of the provider data [**Landsman -- Col. 16 lines 46-52 – First portion, i.e. web page and advertisement, is downloaded and displayed to user**].

Landsman, however, fails to teach storing the a second portion according to the first identifier,

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obtaining a request for the second portion with an associated second identifier and returning the second portion if the second identifier matches the first identifier.

Rieth teaches a system for storing objects according to a first hashed identifier and later requesting the object stored using a second hashed identifier which must match the first hashed identifier in order for the client to have access to the stored object **[Rieth -- Col. 4 lines 30-53 and Col. 5 lines 11-15]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the storing of objects using a first hashed identifier and later retrieving the object using a second hashed identifier, only if both first and second hashed identifiers match, as taught by Rieth into the invention of Landsman, in order to provide a unique, compressed tag with which to securely store publicly available information.

12. Claims 2, 5, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 1 above.

Regarding claim 2, Landsman-Rieth teach the invention substantially as claimed, wherein the steps of associating the first and second identifier with the requests for the provider data include generating a hash table key corresponding to the request for provider data **[Rieth -- Col. 2 lines 23-28 -- A first and second identifier are used to generate a hash table key to access the data stored in the hash table]**.

Regarding claim 5, Landsman-Rieth teach the invention substantially as claimed, wherein the first portion of the provider data includes a URL of content data [**Landsman -- Col. 10 lines 3-6 and Col. 16 lines 57-65 – First portion provides content of web page including an embedded URL for which advertising content data is located**].

Regarding claim 11, Landsman-Rieth teach the invention substantially as claimed, including a computer-readable medium having computer-executable instructions for performing the method of claim 1 [**Landsman -- Figures 3, 4 and Col. 25 lines 25-35 – Software is contained on client PC in browser cache, i.e. memory**].

Regarding claim 12, Landsman-Rieth teach the invention substantially as claimed, including a computer system having a processor, a memory, and an operating system for performing the method of claim 1 [**Landsman -- Figures 3, 4 and Col. 24 lines 28-54**].

13. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 2 above.

Regarding claim 3, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 2 above, wherein the hash table key generating step includes utilizing

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the IP address to generate the hash table key [**Rieth -- Col. 4 lines 30-36 and lines 47-53 – IP address is used in producing the hashed key value**].

14. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth (U.S. 6,134,597), as applied to claim 2 above, in view of West et al. (U.S. 6,175,833).

Regarding claim 4, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 2 above, wherein the hash table key generating step includes utilizing a graphical user ID to generate the hash table key [**West – Col. 5 lines 50-55 – GUID is a globally unique identifier of the browser, i.e. graphical ID**]. GUID is well known in the art and provides a secure and positive mechanism with which to positively identify a particular application a client is using. Therefore, because Rieth is concerned with creating a CRC hashed value using unique values of a user, i.e. IP address and machine serial number [**Rieth -- Col. 4 line 30 and line 45**], a GUID could be used as a unique identifier when creating the key. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a GUID, as taught by West into the creating of the hash key, as taught by Rieth, in order to provide further content which is unique to a given program on a given computer to help generate a unique hash key, specific to that client.

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15. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 5 above.

Regarding claim 6, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 5 above, wherein the content data is advertisement media [**Landsman -- Col. 10 line 4 and Col. 16 lines 63-65 – Advertisement media is downloaded**].

Regarding claim 7, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 5 above, wherein the second portion of the provider data includes an HREF relating to the content data [**Landsman -- Col. 10 lines 10-19 – Other component is a reference to a web address, i.e. underlying hypertext reference (HREF), of the advertising management system**].

16. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 1 above, in view of Bereznyi et al. (U.S. 6,453,404).

Regarding claim 8, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 1 above, including storing the second portion of provider data according to the first identifier, but fails to teach storing the second portion of data in a cache and replicating the data to at least a second cache.

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Bereznyi teaches a distributed (multi) data cache system which provides redundant cache servers such that all functions are performed in parallel, i.e. replication [**Bereznyi -- Col. 38 lines 34-46**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate storing the data in a redundant distributed cache, as taught by Bereznyi into the invention of Landsman-Rieth, in order to provide fast, fault-tolerant storage of data that is frequently accessed by multiple clients.

17. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338), Rieth et al. (U.S. 6,134,597) and Bereznyi et al. (U.S. 6,453,404), as applied to claim 8 above.

Regarding claim 9, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, as aforementioned in claim 8 above, including requesting data from a first cache and if no match is found, requesting it from a second cache [**Bereznyi -- Col. 31 lines 40-43 and Col. 38 lines 51-57 -- Because the remote caches are redundant and share the same data, if an access for data on one fails for whatever reason, the request can use another cache to get the needed data**].

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18. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338), Rieth et al. (U.S. 6,134,597) and Bereznyi et al. (U.S. 6,453,404), as applied to claim 9 above.

Regarding claim 10, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, as aforementioned in claim 9 above, wherein the step of requesting the data from a second cache includes requesting the data from at least two or more caches **[Bereznyi -- Figures 4, 5 and Col. 38 lines 34-46 and lines 51-57 – Because all caches operate parallel to each other and fault-tolerance is achieved by redundancy, the request for data would be sent out to multiple (2 or more) caches to retrieve the data]**.

19. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) in view of Rieth et al. (U.S. 6,134,597).

With respect to claim 13, Snyder teaches a computer system for providing data to a requesting party, the system comprising:

at least one content requestor for requesting provider data **[Landsman -- Figure 1B, Col. 16 lines 44-50 and Col. 16 lines 62-67 - Col. 17 line 1 – User, i.e. content requestor, access web server (13) for data]**;

a content server in communication with the content requester and operable to provide a first and second portion of the provider data to the content requester **[Landsman -- Figure 1B**

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and Col. 16 lines 44-67 – Web server communicates with user browser to provide first portion of data, i.e. web page and advertisement, and second portion of data, i.e. HREF to an ad management system]; and

wherein the content server returns the first portion of the provider data [**Landsman -- Col. 16 lines 46-52 – First portion, i.e. web page and advertisement, is downloaded and displayed to user].**

Landsman, however, fails to teach storing the a second portion according to the first identifier, obtaining a request for the second portion with an associated second identifier and returning the second portion if the second identifier matches the first identifier.

Rieth teaches a system for storing objects according to a first hashed identifier and later requesting the object stored using a second hashed identifier which must match the first hashed identifier in order for the client to have access to the stored object [**Rieth -- Col. 4 lines 30-53 and Col. 5 lines 11-15].**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the storing of objects using a first hashed identifier and later retrieving the object using a second hashed identifier, only if both first and second hashed identifiers match, as taught by Rieth into the invention of Landsman, in order to provide a unique, compressed tag with which to securely store publicly available information.

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20. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 13 above, in view of Bereznyi et al. (U.S. 6,453,404).

Regarding claim 14, Landsman-Rieth teach the invention substantially as claimed, as aforementioned in claim 13 above, but fails to teach a cache on the server for storing data. Bereznyi, however, teaches a distributed cache system for storing redundant data [**Bereznyi -- Figures 4, 5 and Col. 38 lines 34-46**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate storing the data in a redundant distributed cache, as taught by Bereznyi into the invention of Landsman-Rieth, in order to provide fast, fault-tolerant storage of data that is frequently accessed by multiple clients.

21. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 14 above, in view of Bereznyi et al. (U.S. 6,453,404).

Regarding claim 15, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, as aforementioned in claim 14 above, including having the content server cache store the second portion of data [**Bereznyi -- Figures 4, 5 and Col. 38 lines 34-46**], but fails to teach wherein a hash table using the first and second identifiers as hash keys is used.

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Rieth, however, teaches storing the data in a hash table which can be accessed using a hash key from the first and second identifiers **[Rieth -- Col. 2 lines 23-28 – A first and second identifier are used to generate a hash table key to access the data stored in the hash table].**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate storing data in a hash with a unique key comprised of a first and second identifier, as taught by Rieth into the invention of Landsman-Rieth-Bereznyi, in order to provide a unique, compressed tag for protecting and securely accessing publicly available information on a server.

Regarding claim 16, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, comparing a click server in communication with the content server for storing and recalling the second portion of data **[Landsman -- Figure 1B and Col. 10 lines 10-22 – Click server, i.e. ad management system server, contains the second portion of data for storage and recall].**

22. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 16 above, in view of Bereznyi et al. (U.S. 6,453,404).

Regarding claim 17, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, as aforementioned in claim 16 above, wherein the click server includes two or more cache for storing the second portion of the provider data **[Bereznyi -- Figures 4, 5 and Col. 38 lines 34-46 – Multiple caches exist in the distributed cache system for storing the data].**

23. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman et al. (U.S. 6,516,338) and Rieth et al. (U.S. 6,134,597), as applied to claim 17 above, in view of Bereznyi et al. (U.S. 6,453,404).

Regarding claim 18, Landsman-Rieth-Bereznyi teach the invention substantially as claimed, as aforementioned in claim 17 above, wherein the two or more cache contain identical contents [**Bereznyi -- Col. lines 34-46 – Redundant caches operate in parallel and contain identical data, i.e. redundancy**].

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kurcewicz et al. ("A distributed WWW Cache") discloses a distributed cache system to provide redundancy and to provide fast access to highly accessed documents.
- Povey et al. ("A Distributed Internet Cache") discloses a distributed cache system and the advantages provided by using such a system.


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- Touch et al. ("LSAM Proxy Cache: A Multicast Distributed Virtual Cache")
discloses a system for multicast pushes of web documents to a farm of distributed
caches

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 703-605-1234.
The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the
organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is 703-305-3900.


TJM
January 9, 2004


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100